

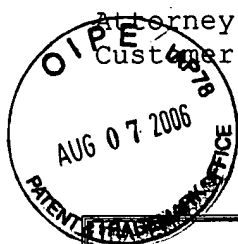
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Attorney No. HARD1.015A (129843-1022)
Customer No. 60148

AMENDMENT AND RESPONSE
APPLICATION NO. 09/970,389

1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Signature of person mailing paper

Anne Ziegler

Printed name of person mailing paper

In re Application of: Donald J. Merkley et al.

Application No.: 09/970,389

Filing Date: October 2, 2001

Group Art Unit: 1731

Examiner: Mark Halpern

For: Method and Apparatus for Reducing
Impurities in Cellulose Fibers for
Manufacture of Fiber Reinforced Cement
Composite Materials

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**AMENDMENT AND RESPONSE AFTER FINAL
OFFICE ACTION MAILED JUNE 19, 2006**

Dear Sir:

Applicants submit this Amendment and Response and respectfully requests entry of the amendment set forth herein and consideration of the remarks provided with this paper.

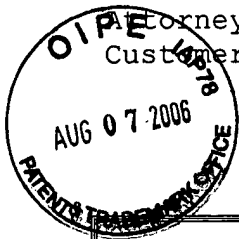
This Amendment is filed in reply to an Office Action made final and mailed June 19, 2006, that established a three-month shortened statutory time period to respond. Applicants submit that this response is timely filed.

In response to the Office Action, please reconsider the above-identified Application as provided in

Amendments to the Claims begin on page 3;

Remarks begin on page 7; and

Conclusion begins on page 9 of this paper.



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AMENDMENT AND RESPONSE
APPLICATION NO. 09/970,389

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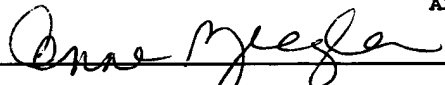
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TRANSMITTAL OF AMENDMENT AND RESPONSE AFTER FINAL
OFFICE ACTION MAILED JUNE 19, 2006

Attorney No. HARD1.015A (129843-1022)
Customer No. 60148

AMENDMENT AND RESPONSE
APPLICATION NO. 09/970,389

2

Dear Sir:

Enclosed are:

- a postcard acknowledgment of receipt of papers by the Patent Office;
- this Transmittal Sheet (3 pgs.);
- Amendment and Response After Final to Office Action Mailed June 19, 2006 (10 pgs.);

Please return the acknowledgment postcard.

						LARGE ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE	ADDITIONAL FEE
Total Claims	24	Minus	67	0		\$50=	\$0
Independent Claims	2	Minus	6	0		\$200=	\$0
						TOTAL ADDIT. FEE	\$0

Attorney No. HARD1.015A (129843-1022)
Customer No. 60148


AMENDMENT AND RESPONSE
APPLICATION NO. 09/970,389

3

No fees are believed to be due at this time. To the extent that any further fees, whatsoever, are required at any time during prosecution of this application, including petition and extension fees, the Commissioner is hereby authorized to charge payment of any additional fees, including any under 37 C.F.R. § 1.16 or 37 C.F.R. § 1.17, to Deposit Account No. 07-0153 of Gardere Wynne Sewell LLP (Dallas) and reference Attorney Docket No. 129843.1022. Please credit any overpayments to this same Deposit Account.

Please direct all correspondence to the practitioner listed below at Customer No. 60148.

Respectfully submitted,


Monique A. Vander Molen
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ATTORNEY/AGENT FOR APPLICANT
August 7, 2006